

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

UNITED STATES OF AMERICA	§	
	§	
V.	§	CASE NO.2:10-CR-11-2 TJW-CE
	§	
SUMMER BERRY APPLEWHITE	§	

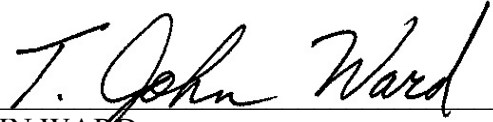
**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND  
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Charles Everingham IV regarding defendant’s plea of guilty and allocution to Count 77 of an indictment with a violation of 21 U.S.C. § 841 (c), possession of a List 1 chemical with intent to manufacture methamphetamine. Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM. P. 11, the Magistrate Judge recommends that the Court accept the defendant’s guilty plea. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed January 26, 2011, are hereby ADOPTED.

It is further ORDERED that, pursuant to defendant’s plea agreement, the Court finds defendant GUILTY of Count 77 of the indictment in the above-numbered cause.

SIGNED this 7th day of March, 2011.

A handwritten signature in black ink, reading "T. John Ward". The signature is written in a cursive style with a large, stylized "T" and "W".

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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE